

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

400L0257

SENATE BILL NO. 14

Introduced by: The Committee on Commerce at the request of the Department of Labor

1 FOR AN ACT ENTITLED, An Act to modify provisions related to the payment of
2 unemployment insurance benefits.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That subdivision (2) of § 61-1-1 be amended to read as follows:

5 (2) "Base period," the first four out of the last five completed calendar quarters
6 immediately preceding an individual's benefit year. ~~However, for~~ For an individual
7 who fails to meet the qualifications of § 61-6-7 due to the receipt of temporary total
8 disability payments under worker's compensation, the base period is the first four of
9 the last five completed quarters preceding the disability if a claim for unemployment
10 benefits is filed within twenty-four months of the date on which the individual's
11 disability was incurred. However, no calendar quarter used in one base period of a
12 valid claim may be used in a subsequent base period;

13 Section 2. That § 61-6-4 be amended to read as follows:

14 61-6-4. No week ~~shall~~ may be counted as a week of unemployment for the purpose of
15 subdivision 61-6-2(4):

16 (1) Unless it occurs within the benefit year which includes the week with respect to



- 1 which ~~he~~ the individual claims benefits;
- 2 (2) If benefits have been paid with respect thereto; and
- 3 (3) Unless the individual was eligible for benefits with respect thereto ~~as prescribed in~~
- 4 ~~§ 61-6-1, subdivision 61-6-2(5), §§ 61-6-6, 61-6-8 and this section, except for the~~
- 5 ~~requirements of subdivision 61-6-2(4) and of § 61-6-5.~~